

REMARKS

Claims 1, 3, 4 and 11 are amended, Claim 2 is cancelled and Claim 15 is added. Claims 1 and 3-15, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Office Action dated December 15, 2005, the Examiner rejected Claims 1, 5-8, 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Ondrus et al. (5,831,151).

The Examiner stated that Claims 2-4, 9, 10, 13 and are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Response:

Applicant amended Claims 1 and 11 to include the subject matter of cancelled Claim 2. Applicant added independent Claim 15 as a combination of original Claims 1 and 9.

Since the Examiner stated that Claims 2 and 9 would be allowable, Applicant believes that amended Claims 1 and 3-15 are allowable.

The Examiner stated that the prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The Examiner cited: Lewis (4,686,469) for its disclosure of a method and device for measuring magnetic particles in a fluid; and Kempster et al. (5,315,243) for its disclosure of detection and discrimination between ferromagnetic and non-ferromagnetic conductive particles in a fluid. Applicant reviewed these references and found them to be no more pertinent than the prior art relied upon by the Examiner in the rejections.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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